

# Judge Hellerstein

Michael J. Walsh (MW-6578)  
William F. Dougherty (WD-8719)  
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08 CV 03110

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

**CAPELLA SHIPPING LTD.,**

**Plaintiff,**

**-against-**

**CEMENT PLUS CORPORATION,**

**Defendant.**

**AFFIDAVIT IN SUPPORT  
OF MARITIME  
ATTACHMENT UNDER  
SUPPLEMENTAL RULE B**

STATE OF NEW YORK    )  
                                  )  
COUNTY OF NEW YORK)

WILLIAM F. DOUGHERTY, being duly sworn, deposes and states the following under oath:

1. I am a member in good standing of the bar of this Court and am a partner in the law firm of Burke & Parsons. I am familiar with the facts of this matter and make this Affidavit in support of Plaintiff's request for the issuance of Writs of Maritime Attachment and Garnishment, pursuant to Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims, annexed to the Federal Rules of Civil Procedure.

2. I have attempted to locate Defendant Cement Plus Corporation within this District. As part of my investigation to locate Defendant within this District, I checked the telephone information directories published by AT&T and Verizon, and did not find any listings for either of the Defendant in New York. Internet searches at www.yahoo.com and www.google.com failed to reveal any presence of any of the

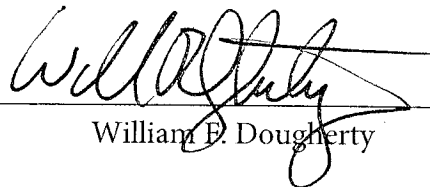
Defendant within the Southern District of New York. In addition, the information available by an Internet search from the New York State Department of Corporations Database, did not contain any listings for the Defendant.

3. The foregoing investigation has also failed to reveal any address, representative or agent within the District that the Defendant may have designated for the receipt of process to be served upon Defendant.

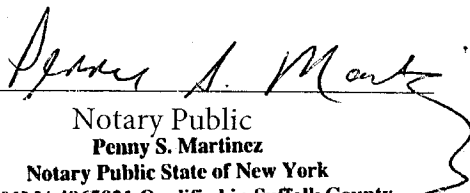
4. Based upon the foregoing, it is apparent that Defendant cannot be found within this District within the meaning of Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims.

5. Upon information and belief, Defendant has, or will have during the pendency of this action, property, goods, chattels, funds or credits and effects within the District in the hands of garnishees, including, but not limited to, ABN Amro; American Express Bank; Bank of America NA; Bank of New York Mellon; Citibank; Deutsche Bank, AG; HSBC Bank USA NA; JPMorgan Chase Bank; Standard Chartered Bank; Wachovia Bank, and/or UBS.

6. This is the Plaintiff's first request for this relief made to this or any other Court.

  
William P. Dougherty

Sworn to before me this  
27<sup>TH</sup> day of March 2008.

  
Notary Public  
Penny S. Martinez  
Notary Public State of New York  
No. 01MA4865021 Qualified in Suffolk County  
Certificate Filed in New York County  
Commission Expires 29 September 2010

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